

REMARKS

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication that claim 17 is allowed and that claim 18 recites allowable subject matter. New claim 21 corresponds to the prior version of claim 18 written in independent form, and thus is clearly now in condition for allowance.

Amendments

Claims 1 and 11 are amended to recite that the flows of the heat transfer medium/cooling medium, first fluid, and second fluid run parallel to one another. This concept is supported throughout applicants' disclosure. See, e.g., page 13, lines 10-16, and the parallel plates and passages illustrated in Figures 13 and 14. In addition, as mentioned above, new claim 21 corresponds to the prior version of claim 18 written in independent form.

Rejection under 35 USC §102(b) in view of de Costa et al.

Claims 1-5, 9, 11, and 19 are rejected as allegedly being anticipated in view of da Costa et al. (US 5,755,280). This rejection is respectfully traversed.

As shown in Figure 1, US '280 disclose a heat exchanger in which the main fluid flow A runs longitudinally, whereas the secondary fluid flows B, C, and D run perpendicular to the longitudinal axis. Thus, the passages for fluid flows B, C and D are perpendicular, not parallel, to the passages for fluid flow A. See, e.g., column 3, lines 27-37.

Thus, it is respectfully submitted that US '280 fails to disclose each element of applicants' claimed invention. Therefore, it is respectfully submitted that US '280 fails to anticipate applicants' claimed invention. Withdrawal of the rejection is respectfully requested.

Rejection under 35 USC §103(a) in view of de Costa et al.

Claims 6-8 and 20 are rejected as allegedly being anticipated in view of da Costa et al. (US 5,755,280). This rejection is respectfully traversed.

In the rejection, it is asserted that it would be obvious to provide a third component area

in the heat exchanger of US '280 to achieve greater heat exchange. This argument is based on the disclosure in US '280 of providing heat exchange between flow A and "N" fluids that circulate **transversely** with respect to flow A. See column 2, lines 62-67.

US '280 does not, however, provide any suggestion of a heat exchanger in which the flows of a heat transfer medium/cooling medium, a first fluid, and a second fluid run parallel to one another. Nor does US '280 provide any motivation that would lead one of ordinary skill in the art to modify the exchanger disclose therein so as to provide such parallel heat exchange passages.

In view of the above remarks, it is respectfully submitted that US '280, fails to render obvious applicants' claimed invention. Withdrawal of the rejection under 35 USC §103(a) is respectfully requested.

Rejection under 35 USC §103(a) in view of "admitted prior art" and da Costa et al.

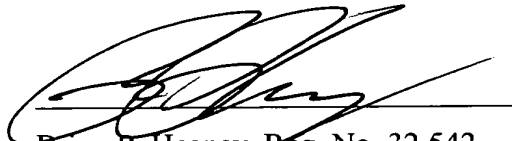
Claims 10-16 are rejected as allegedly being obvious in view of "admitted prior art" in combination with da Costa et al. (US 5,755,280). This rejection is also respectfully traversed.

As noted above, US '280 discloses a heat exchanger in which the passages for the main fluid flow A run longitudinally, whereas the secondary fluid flows B, C, and D run perpendicular to the longitudinal axis. Thus, the passages for fluid flows B, C and D are perpendicular, not parallel, to the passages for fluid flow A. See, e.g., column 3, lines 27-37. As argued in the Office Action, US '280 provides heat exchange between flow A and "N" fluids that circulate **transversely** with respect to flow A. See column 2, lines 62-67.

US '280 does not provides any motivation that would lead one of ordinary skill in the art to modify the heat exchangers illustrated in applicants' Figures 1-4 in such a manner as to arrive at an embodiment in accordance with applicants' processes. Thus, it is respectfully submitted that Figures 1-4, taken alone or in combination with the disclosure of US '280, fails to render obvious applicants' claimed invention. Withdrawal of the rejection under 35 USC §103(a) is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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